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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,959	03/21/2000	Atsushi Mizutome	35.C14358	6913

5514 7590 12/05/2007  
FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER
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LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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12/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/531,959	<b>Applicant(s)</b> MIZUTOME ET AL.	
	<b>Examiner</b> Hunter B. Lonsberry	<b>Art Unit</b> 2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 67-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 67-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicants' arguments filed on 8/15/07 have been fully considered but they are not persuasive.

Applicant argues that Klosterman does not teach applicant's claims as newly amended. (page 5).

The Examiner respectfully disagrees. Klosterman discloses at col. 6, lines 34-56, that the lineup of channels 52 can be arranged such that channels are in any arrangement, and more specifically, the user has the ability to delete and activate that channels displayed in grid guide 50, where for example, the user can determine whether to have one of the ABC channels, both of the ABC channels, or neither of the ABC channels. Therefore, any desired arrangement for the lineup of channels is available based on the user selection of plural sets of input sources or more specifically multiple sources of channels. This arrangement of channels, selectable by a user produces a different pattern. For example if there are four channels a,b,c,d and a user selects channels (a-c), (a,b,d), (b-d) etc you have a different patterns of channels based upon the selection of input sources.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 67-72 are rejected under 35 U.S.C. 102(b) as being anticipated by Klosterman (USPN 5,550,576), previously cited by the Examiner.

As to claims 67 and 72, Klosterman discloses a reception apparatus and a method for processing EPG information (see col. 2, lines 23-31 and line 62 - col. 3, line 5). The claimed reception unit for receiving a television signal is met by coordinator 20 (column 5, lines 13-26). The claimed input unit for entering a plurality of program information data from a plurality of input sources is met by coordinator 20, which finds and sorts the program guide information available in system 10, and coordinator 20 is connected to the source(s) of the program guide information (e.g. cable and DBS (or any other medium capable of transmitting a signal), see col. 2, line 62 - col. 3, line 9 and col. 4, line 63 - col. 5, line 37, also see col. 7, lines 19-38), and the claimed relating to the television signal is met by col. 2, lines 62-65 as described above. The claimed integration unit for producing a plural patterns of integrated program information data is also met by the coordinator 20 as described in the sections cited above. The claimed wherein the plural patterns of integrated program information data comprises different combinations of program information data, according to plural sets of input sources specified by a user from among the plurality of input sources is met by col. 6, lines 34-56 col. 7, lines 19-38, where Klosterman discloses that the lineup of channels 52 can be arranged such that channels are in any arrangement, and more specifically, the user

has the ability to delete and activate that channels displayed in grid guide 50, where for example, the user can determine whether to have one of the ABC channels, both of the ABC channels, or neither of the ABC channels originating from different input sources. Therefore, any desired arrangement for the lineup of channels is available based on the user selection of plural sets of input sources or more specifically multiple sources of channels. The claimed EPG generating unit for producing plural sets of integrated EPG display data based on the plurality of integrated program information data is met by col. 6, lines 34-56 and col. 7, lines 19-38, where various sets of integrated EPG display data may be produced and/or arranged by the user through the use of remote control 32 and coordinator 20.

As to claim 68, the claimed wherein the plurality of integrated program information data comprises main program information data is met by a program or show, and the claimed detailed information data is met by the additional information associated with a particular show (see col. 7, lines 19-38). The claimed "and each of the plurality of input sources according to the main program information data and the detailed information data can be specified by the user" is met by the input sources specified by the user as discussed above for claims 68 and 72.

As to claim 69, the claimed wherein a normal EPG display according to a single input source and an integrated EPG display based on the integrated EPG display data are selectable by the user's operation is met by the grid guide arrangement selected by the

user as discussed above for claims 68 and 72 (see col. 6, lines 34-56 for example, as well as the other citations described above).

As to claim 70, the claimed wherein the main program information data is all-station EPG data with common information to all the stations is met by guide information can be provided from any commercially available medium and can apply to all or several of the available sources (see col. 5, lines 2-4), and the claimed detailed information data is station- specific EPG data transmitted in a channel belonging to each station is met by coordinator 20 may receive television program guide information via the vertical blanking interval in an available television channel (see col. 5, lines 5-7 and lines 57-59).

As to claim 71, the claimed wherein the plurality of integrated program information data is generated within a designated range by the user for at least one of data, time and channel is met by col. 6, lines 55-56, where any desired arrangement for the lineup of channels 52 is available.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number:  
09/531,959  
Art Unit: 2623

Page 7

A handwritten signature in black ink, appearing to read 'HBL', with a stylized flourish at the end.

Hunter B. Lonsberry  
Primary Examiner  
Art Unit 2623

HBL